

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, September 19, 2016

Those Present: Mr. Rick Stup, Chairman
 Mrs. Maggi Hays, Board Member
 Mr. Jesse Pippy, Board Member
 Mrs. Linda Thall, Sr. Asst. County Attorney
 Mrs. Kathy V. Dean, Administrator
 Mr. Harold DeLauter, Alcoholic Bev. Inspector
 Mr. Bob Shrum, Alcoholic Bev. Inspector
 Mrs. Penny Bussard, Administrative Specialist V
 Mrs. Ashley Sklarew, Administrative Specialist V

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 9:07 AM by Chairman Stup.

1. Mr. Stup stated that he and Mrs. Hays thanked Mr. Pippy for coordinating the Legislative forum. There was input and exchange with the Board, licensees, and delegation, which resulted in a successful forum.
2. Mr. Stup announced with great pride that Mrs. Kathy Vahle Dean was recognized by Senator Ben Cardin with a certificate of special recognition in honor of her commitment and to promoting health and safety in the Maryland community.
3. Mrs. Dean gave the violation update: 43 renewal violations have been sent out. There were another six violations that were set up and sent out by Mrs. Bussard. Mrs. Dean thanked Mrs. Bussard for working hard on those violations and getting them set up while Mrs. Dean was on vacation. One violation is pending that has to do with violation that the Comptroller's Office found. Violation hearings are scheduled for October 17, 2016, as long as the Comptroller's agent is available.
4. Decision Required: Transfer

RE: Dinesh Patel and Vidhu Sharma
for the use of DOLA LLC
t/a Emmitsburg Valero
16603 S. Seton Avenue
Emmitsburg, MD 21727
Class A, Off Sale Beer & Light Wine
Sunday Permit

There are no pending items for this case. Mrs. Dean swore in the applicants. Mr. Stup stated that this is a continuation from the last hearing as there were some issues that came up at the last hearing. Mrs. Dean stated that the license was not revoked. There were reports that the license had been sold, and when

the inspector went to the establishment he found a new retail sales tax license and new trader's license. The license was brought in to be held until the transfer could be made. At that time, staff had not received an application. Ms. Jessica Hinerman and Ms. Naren Chhay who previously protested the license at the last hearing were called up and sworn in by Mrs. Dean. Mr. Stup stated for the record that a letter of recommendation had been received by the Board from Senator Hough stating that there is an agreement between the two establishments and he is in favor. Mr. Pippy stated that the Board's inspector went to the establishment and found a new business license and that the licensees did not notify the Board. Mrs. Dean added that a completed application had not been returned to staff. Mrs. Dean stated that this could be a violation. Mr. Stup supplied Mr. Ted Elliott, representative for the applicant, a copy of Senator Hough's letter. Ms. Hinerman asked for and received a copy of the letter as well. Mr. Elliott stated the proposition of a contract to sell the license by the buyer is not enforceable because the buyer doesn't currently have a license. Mr. Elliott also stated that after the last hearing, his client sketched out an agreement which was conditioned on many things, and Ms. Chhay asked his clients to sign it. This sketch was just intended as a blueprint and it was not an enforceable contract and it was not intended to be an enforceable contract. The buyer didn't even own the business yet. As far as the public comment, the proposition is that the location is not a good place to have a beer and wine license and that Ms. Chaay's location is a better location. The current owners have managed the establishment for 10 years. The facility sits on a 1 1/2 acre lot. The enclosed area of the store is 1,552 square foot according to tax records. In addition to Beer and Wine the establishment offers gasoline, diesel fuel, assortment of foods, and non-alcohol beverages as most convenience stores do in Frederick County. Mr. Elliott stated that the only public comment is from a competing establishment that would like to have its own beer and wine license, as they only have a beer license. Mr. Pippy asked if Mr. Elliott's clients were aware that the Board was holding the current license. Mr. Pippy stated that the establishment would have the license if they had notified the Board of their intent to sell the business to another party. Mrs. Dean stated that applications go out all the time but aren't always returned. In this case, we did not have an application for a transfer that had been returned. Mr. Elliott explained that the application had been pulled three times by the buyer. Starting in September 2015, it was held up through the fall and the winter because of the unique situation. The owner of the property is Getty Gas they decided to lease the store to the operating company for Valero. When dealing with both of the entities it took longer than the first application required to get the fuel contract and lease approved to be signed by the new buyer. When the second application was taken out later in the fall it took too long for the landlord to sign the transfer application and when he/she did, it was past the application deadline. Then it was renewal period so an application could not be obtained from the Board, until May and this was the application that was completed and submitted to the Board. Mr. Elliott was not actively involved until the third application. Mr. Stup stated that there is a history of problems with the owner of the property's availability for signing the renewal application, so Mr. Stup is aware of the delays

in the past. Mr. Elliott admitted that the buyers jumped the gun on some of the other items (retail sales tax license, etc.) for the transfer. Mrs. Dean stated that the license was issued on September 25, 2006. The only violation that is on file is the late renewal where the renewal was filed 28 days late, which was because of the landlord not signing the application, a \$1,400 fine was paid for the violation. Inspector DeLauter stated that he has never had a problem with the licensees. Mr. Stup asked for public comment. Mr. Timothy Smith spoke on behalf of the objectors. Mr. Smith stated that after the last hearing Mr. Elliott approached his client, and wrote up an agreement where they agreed to sell the wine portion of the license to his client for \$20,000. Mr. Smith provided a copy of the agreement to the Board that was drafted by counsel and signed by all parties. Mr. Smith asked how dedicated to the public interest is the prospective licensee who wants to sell a license that it does not have and operate under a license that it was not entitled to operate under before it was even granted the transfer by this Board. The Board grants licenses to serve the public interest. The right to sell alcohol is not a constitutional privilege, it is a right that is granted by the County. In examining the prospective licensees what kind of public interest is served by somebody that is selling something they don't have and operating under someone else's license. It doesn't seem to be the kind of licensee the Board should consider securing a license. Mr. Elliott asked the Board to examine the agreement that was supplied to the Board from Mr. Smith and pointed out that it is anything but a binding contract. It was designed to be a blueprint going forward to seek a binding contract provided that the liquor license did transfer. As part of the arrangement provisionally, the objector was going to withdraw their objections as part of the proposal. Mr. Elliott continue to state that he was emailed by his client a full proposal for agreement from the objector indicating that she didn't think the aforesaid document wasn't binding either. Mr. Elliott does not have the email with him but would be glad to put it in the record at some point. Mr. Elliott's client declined to sign the full proposal because at the time he changed his perspective on the arrangement going forward. Mr. Pippy asked who initiated the potential agreement. Ms. Vidhu Sharma stated that according to Mr. Dinesh Patel, he went to see the other establishment since he was new to the Emmitsburg area, but he did not mention to Ms. Chaay that he wanted to sell the license. He asked her how much she would pay if he would sell the license. He asked her 6 months ago. He approached her. The business continued to operate without the Beer and Wine license, but alcohol sales ceased. Ms. Dean stated that the license was picked up and brought back to the Board on June 2, 2016. Mr. Pippy asked if the establishment has sold alcohol since June 2, 2016. The applicant and current license both replied no. Mr. Pippy stated that the interesting thing is no one holds the "title" to the liquor license, so the agreement which looks like selling a license but the "title holders" (the Liquor Board) weren't included. Mr. Elliott stated again that the document was never intended to use as a binding agreement. Mrs. Thall stated that looking at the document, it appears like it is missing a number of terms and conditions that you would normally see in a contract, it doesn't have an effective date, a termination provision, doesn't identify the parties, or spell out the details of the transaction. Ms. Hinerman

stated that the applicant pulled her and Ms. Chaay out of the last hearing and Ms. Hinerman had to leave, so Ms. Chaay and Mr. Elliott were discussing things so it was very quick and she wasn't going to sign anything that was not written. Ms. Hinerman stated that Mr. Elliott stated there would be a price for the license and Ms. Chaay and the applicant were negotiating amounts and agreed upon \$20,000 over a one year period. Mrs. Hinerman stated that Mr. Elliott wrote up the agreement. Mr. Elliott stated that Mrs. Hinerman statement is correct. Mr. Stup stated that things that go on with a licensee and someone else is not the business of the Board and thanked them for their time. Mrs. Dean stated the license for Pech Ngorn (Ms. Chaay's establishment) was issued February 12, 2013 and there are no violations. Mrs. Dean stated that all items for the application for transfer of the license to Mr. Patel and Ms. Sharma have been completed.

MOTION: Mr. Pippy made a motion to deny the transfer from Emmitsburg Valero to the new applicant, based on testimony, conflicting information, and the potential violation that occurred.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION ON THE MOTION:

Mrs. Thall stated that the testimony was that the establishment did not sell alcohol without a license.

Mr. Stup stated that he was not voting in favor of the motion because every application that comes forward that is contested seems like there is testimony against and there is conflicting information and he cannot support anything that is denied because of a potential violation.

VOTE: Mr. Stup-Nay
Mrs. Hays-Aye
Mr. Pippy-Aye

FURTHER DISCUSSION ON THE MOTION:

Mr. Pippy pointed out that the new owner can apply for a transfer license; it is just not automatically being transferred. Mrs. Dean stated that the license will continue in the current licensee. Mr. Pippy stated he thought the Board had the license. Mr. Stup stated that the Board does have the license, but the license was not revoked. Mr. Stup stated that the license is still available under the former owner. Mrs. Dean stated that as long as the former owner goes back to operate the establishment they can do that. Mr. Pippy stated that a violation has not been brought forward. Mr. Pippy stated that there was some confusion. Mrs. Hays agreed to the confusion as well.

MOTION: Mr. Pippy made a motion to reconsider the application.

SECOND: Mrs. Hays seconded the motion.

VOTE: Mr. Stup-Aye

Mrs. Hays-Aye
Mr. Pippy-Aye

FURTHER DISCUSSION ON THE MOTION:

Mr. Pippy asked how long the Board has been holding the license. Mrs. Dean stated that in a typical case, the license is held until the transfer happens. Mrs. Dean cannot recall a case that has been like this case where someone has protested a license transfer. If there is no application for transfer, then the Board would have to revoke the license after a public hearing. Which has happened many years ago.

MOTION: Mr. Pippy made a motion to approve the transfer application.

SECOND: Mr. Stup seconded the motion.

VOTE: Mr. Stup-Aye
Mrs. Hays-Aye
Mr. Pippy-Aye

The vote was unanimous ***Aye-3, Nays-0***
(Motion Passed)

THE PUBLIC HEARING RESSCESSED AT 10:03 AM. THE PUBLIC HEARING RESUMED AT 10:09 AM.

5. Mr. Stup announced the next agenda item would be a discussion of the potential items for the 2017 legislative packet. This would be what the Board wants to potentially ask the delegation for state law changes. The final list will be discussed at a public hearing scheduled for September 26, 2016. Mr. Stup invited the public to speak up with their input at this hearing or the hearing on September 26th.

A. **Employee vs. Licensee responsibility for violations.** A recent court case has impacted licenses and how the Board proceeds with violations and whom these violations are impacted against. Mrs. Thall stated that in June 2016 the Court of Special Appeals, which is Maryland's second highest court, came out with a decision interpreting regulations adopted by Baltimore City's Liquor Board. Those regulations are similar to those the County has. The court held that the language did not authorize the Board to impose strict liability against licensees for certain violations. When the case first came out it, it appeared that this would require legislative action to fix. However, the court's decision gave very clear guidance that with some changes to the Board's regulations the problem could be addressed that way without having to go to the State. Also, the case has been appealed. To the extent that the Board wants to, it can address the problems exclusively through amending its regulations.

MOTION: Mr. Pippy made a motion to add language to clarify in the regulations that the licensee is responsible for what occurs at his licensed establishment.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION ON THE MOTION:

There was no further discussion on the motion.

VOTE: Mr. Stup-Aye
Mrs. Hays-Aye
Mr. Pippy-Aye

The vote was unanimous **Aye-3, Nays-0**
(Motion Passed)

- B. Municipal Fee Share Law Revision.** Mr. Stup stated that there was an inquiry from members of the delegation concerning the recent change to the distribution of liquor license fees. Formerly, 50% of the fees went to the municipalities in Frederick County and 50% went to the County to fund the Liquor Board's operations. The municipalities had no expense in the operation. The City of Frederick had been turning over its share to the County for the last several years to help fund a part time inspector to primarily cover the City. The General Assembly passed the law about two years ago that the municipalities no longer receive 50% of the funds. With applying all the license fees to the operation of the Liquor Board and staff, there is still a shortfall on an annual basis, which is normal for all jurisdictions but Montgomery County which has a different system. Mr. Stup would like the Board to make the delegation aware of the findings.

Barbers being added to the Hair Dresser License. Mrs. Dean stated that she looked up the professional occupation code that describes barber shops vs. hair dressing licenses and treats them differently in the professional code. Mr. Pippy stated that they are different licenses that are issued by DLLR. The Board discussed adding the barber shops to the hair dresser license. There was no public comment.

MOTION: Mr. Pippy made a motion to include barber shops in the already current hair salon license.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION ON THE MOTION:

There was no further discussion on the motion.

VOTE: Mr. Stup-Aye
Mrs. Hays-Aye
Mr. Pippy-Aye

The vote was unanimous ***Aye-3, Nays-0***
(Motion Passed)

- C. **Food/Alcohol Ratio.** Mr. Stup stated the Board would like to look at options within the regulation and that the Board would have to decide whether it wanted to proceed to discuss this with the delegation for possible changes to the particular percentage that is required. Mr. Stup stated that when it was taken to the delegation last year, the delegation liaison asked the Board to try to handle this locally first. The Board has not had time to gather the information. Mr. Stup stated that this request is set as a priority. Mr. Pippy stated that there are two moving pieces. One being the purpose of the ratio to enforce that every licensed establishment is a restaurant and that they serve food. The other is a Class D Tavern license. The Board has the authority to issue licenses granted by the State. If there were a Class D license there won't be a food requirement. It may be easier to ask for a Class D license even if it's a limited number. Mr. Stup stated that Zoning laws currently do not allow for a tavern license. Mrs. Dean stated that in other jurisdictions, the Class D licenses cost significantly more than a Class B license. Mr. Stup would like to go below the ratio as an immediate solution. Mrs. Thall stated that if state laws tell you that it has to be a certain percentage, the Board has no authority to change the percentage. If the state law is silent as to the percentage, the Board has discretion. Any time a Board regulation is inconsistent with what is in state law, state law is going to govern. Mr. Stup asked Mrs. Dean to come up with the same letter from last year and will take it to a public hearing and then sit down with the liaison with the delegation to see if it will be forwarded to the delegation. Mrs. Susie Glass from the Ott House stated most restaurants in the County would like to ask the Board to deal with the Food/Alcohol ratio on a local level. Mr. Stup encouraged any suggestions to be forwarded to the Board.
- D. **Cigar Licenses.** Mr. Pippy stated he did research on the license and in Maryland there is a law that does prevent serving food/drinks inside a building where there is smoke. However, there is an exception under the COMAR 10.19.04.03 that specifically says a tobacco shop is allowed to sell other items as long as they are considered incidental, which would be a lesser amount 10% or under 17%. Mr. Pippy found that in Anne Arundel County there is a Cigar place called Titan's Cigar that currently is a cigar shop that sells alcohol. They have to keep their alcohol sales at a minimum. Mr. Pippy believes the Board should ask the delegation to come up with something similar to the hair salon license but for cigar shops as long as they kept it under a minimal amount to comply with the COMAR and health state law because there are some business in Frederick County that have requested the license. Mr. Pippy stated the Anne

Arundel license is for liquor only. Mr. Stup would like to proceed with this and add to the list for delegation. Mrs. Glass stated that there has been discussion at the State Beverage Association regarding the cigar license. The association will fight this with the clean air act. An incidental item in Mrs. Glass' business is bubble gum or potato chips, not alcohol. Mrs. Glass doesn't see how serving a fine whiskey is considered incidental. She believes that in all fairness the cigar shops should comply with the clean air act just as the rest of the establishments have to.

- E. **10 day notice for violations.** Mrs. Dean stated that the Board must give a 10 day notice for a hearing before a violation. Mrs. Dean continued to state that the problem is she must give a two week notice for someone to give names to her of those they'd like to have subpoenaed and then it takes two weeks for the Sheriff's Department to subpoena those individuals. The minimum is a ten day notice, however there is no maximum. There is not a legislative necessity for this.
- F. **Increase Board Member Stipend.** Mr. Stup stated there was an increase at the time he became a Board Member. The Board has added a lot to help licensees, which added more work for the staff and the Board. Mr. Pippy stated that he pulled up the compensation for the Liquor Boards in all Counties in Maryland and noticed that the Frederick County Liquor Board falls in the middle. Mr. Pippy stated that he is not in favor of people voting to give themselves pay increases as a government entity and he would not support a pay raise for himself. He would prefer to fund a new employee. Mrs. Hays stated that there are a lot of people interested in the position, not for the money but because they want to be here and the money will not make a difference.
- G. **Beer Payment COD.** Mr. Stup stated that a change in how establishments pay for their beverages did not go forward last year because an issue came up because it what was requested and drafted gave unfair competition to Carroll County. Currently the licensees are required to pay cash or check as the beer is delivered. Mr. Stup stated that as a Board the concern is that an extra amount of cash was left in the building for these deliveries which were normally in the morning before opening hours. Signed blank checks were also left to fill in amounts. Last year this request did not go forward. Delegation stated that there may be a move to take Carroll County's exemption out. The Board would like to get information from Carroll County with the issues they are having with this exemption and make a decision at the next meeting. Mr. Lawrence Angle, Wantz Distributors, one of six distributors in Frederick County, stated that they do not accept cash. Checks or wire transfers are the only types of payment Wantz

Distributors accepts. The reason there is COD is because delivery may occur on the same account four or five times in one week. If credit was extended it could easily build up. There is intense struggle in Carroll County with accounts going out of business. There are accounts in Carroll County that are \$20,000, and \$50,000 in debt to Wantz Distributors. Extending credit creates an unfair situation where a person can open up a liquor store with no money and all of a sudden they are in competition with someone who has been in business for 70 years. Mr. Angle would agree with Carroll County's exemption going away. The other four distributors are Chesapeake Legends, Dobbs, Premium and Lesky. Mr. Pippy asked if there were accounts that were not paid. Mr. Angle responded that most of the time accounts didn't pay and they would go out of business and Wantz Distributors would then be on the hook for the product. Delay pay results in a stop of delivery, but it has to be caught because deliveries are done three to four times a week. Mr. Stup stated this request originally came up last year during a public meeting with several people making the request. Mr. Stup thanked Mr. Angle for his comments as the Board didn't know that a wire transfer is acceptable. Mr. Angle stated that most accounts in Frederick County are on wire transfer. The Board thanked Mr. Angle for his comments. Mr. Stup is not for requesting this exemption.

H. **Promoter's License discrepancy.** Mr. Stup stated there is a discrepancy from the approved law vs. the new alcohol article re-write. Mr. Pippy stated that there needs to be clarification that if you are a brewery that has a state license that does not have a Frederick County local license, the establishment is allowed so many functions per a year through their state license. Is the Board allowed to charge a promoter's fee if they're doing an event that is included on their state license not on a local license? Mrs. Dean stated the issue is the definition of a promoter, who is and isn't considered a promoter. The Board determined that brewers were not a promoter in the sense of the license that is issued. There are a lot companies out there that are promoting the event but when it comes time for the promoter's license they state that they are just helping, it's not their event. The issue is trying to define a promoter. The delegation decided to pass the bill that a promoter's license must be issued in conjunction with a non-profit special license. This requirement still stands.

I. **Sunday Hours.** Mr. Stup stated that Mrs. Hays' proposal would be to change the Sunday hours to be the same as the rest of the days of the week. Mr. Pippy's proposal was to change Sunday opening hours to 10:00am. Mr. Stup stated that he will not support changing Sunday hours to be the same as the rest of the days of the week. Mr. Pippy stated that Frederick County has blue laws which are traditionally religious based. One of the issues for some of the businesses on

Sundays is that they do brunch. Most of the businesses open at 11:00am because they want to serve brunch with drinks and the law does not allow them to serve them until 11:00am, so they do not open until 11:00am. Mr. Pippy stated that he has spoken with a few licensees that said they would prefer the hours to be a little earlier on Sundays. Currently Carroll County has Sunday hours beginning at 8:00am, and Montgomery County's Sunday hours begin at 10:00am. Mr. Pippy stated he is a church goer, and goes at 9:00am and gets out 10:00am and when he and his wife want to go to any of the brunch establishments, they have to wait for an hour or so. Most church services in Frederick County begin at 8:00am or 9:00am. 10:00am opening on Sundays would not conflict with a lot of the conservative values that the County has, but would make us competitive with our neighboring counties. Mr. Pippy does not support changing Sunday hours to be the same as the other six days of the week. Mr. Stup stated that the Board does have the flexibility to grant permission to open early on Sundays for special occasions only. Mrs. Hays stated she disagrees and believes Sunday hours should be the same as every other day of the week. There are a lot of people that have their religious ceremonies on Saturdays or in some cases Fridays. Mrs. Glass stated that she agreed with Mrs. Hays. Mrs. Glass stated that there are establishments that have brunch, but there are also a lot of package stores that brings a lot of business. If a person from this area is leaving for a baseball game and they want to buy their beer they leave, they can't. Caterers may also be catering a wedding before 11:00am on a Sunday. Mr. Rich Cooper from Jefferson Market stated that his experience has been that during football season people are in his establishment at 8:30am that are ready to go tailgating. These people end up going to Virginia or West Virginia to get their alcohol.

MOTION: Mr. Pippy made a motion for the Board recommend changing the Sunday open hours to 10:00am.

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION ON THE MOTION:

There was no further discussion on the motion.

VOTE: Mr. Stup-Aye
Mrs. Hays-Nay
Mr. Pippy-Aye

The vote was: **Aye-2, Nays-1**
(Motion Passed)

- J. **Distillery DBR License.** Mr. Pippy stated that currently in Frederick the wineries have a state license that enables them to serve wine and food. The Frederick County Liquor Board does not regulate this. The Breweries were recently given Class D, DBR which allows

them to serve alcohol in addition to their manufacturing. The Distilleries do not have anything. In Frederick we have a few distilleries but have more coming. There is currently nothing to allow them to grow as a retailer. Mr. Pippy's recommendation would be a Class D Distillery license specific to the distilleries with the option to apply for an on-site consumption license. This is after discussion with distilleries in Frederick and association groups.

MOTION: Mr. Pippy made a motion for the Board to recommend that a Class D Distillery license be created similar to the DBR license in Frederick.

Mr. Stup stated that the DBR license is not one that was requested by the Board. It was something that went through the State General Assembly, Comptroller's Office and the Board was forced to take it. The Board is still dealing with issues and unknowns concerning the license.

SECOND: There was no second on the motion.

- K. **Tavern Licenses.** Mr. Stup stated this was discussed earlier. Mr. Stup stated that he isn't for or against the tavern license, it's just there are too many unknowns. The last two years the Board has talked about the tavern licenses. Mr. Stup stated more discussions need to take place regarding the food/alcohol ratio. Mr. Stup cannot support tavern licenses at this time. Mrs. Dean stated all but two jurisdictions in Maryland have tavern licenses. Mr. Pippy wanted it noted for the record that he is in support of tavern licenses.
- L. **Class B Sunday Hours for Off Sale.** Mr. Stup stated this should be extended if the on sale hours are extended. Mrs. Dean will look into this.
- M. **Purging Violations after 3 Years.** A licensee has requested has requested that violations be purged after three years or so for an application and violation history. Mr. Stup stated he is opposed to that. Mr. Pippy stated that the history could also show the improvement for a licensee.
- N. **Presentation of IDs.** Mrs. Dean stated that the City of Annapolis years ago put in their regulations that every person who walked through the door had to be carded. Mrs. Dean stated that the City of Annapolis had to back off the regulation. Mr. Stup stated the option is there and as part of a business plan. Mr. Pippy stated even if everyone is carded it doesn't mean that customers aren't giving false ids.

- O. **Signatures by Election District Only.** Mr. Stup requested that the signature collection on applications go back to the way it used to be, to collect signatures by election district. It was changed so that those who are the most impacted can be asked to sign the application. Mr. Stup believes this works well and serves the public well. This also gives more transparency through the process. Both Mrs. Hays and Mr. Pippy agreed with Mr. Stup.
 - P. **Class B Whiskey Bottle Program.** A licensee requested a Class B Whiskey Bottle Program. Mrs. Dean stated that it was unclear what the licensee meant. Mr. Stup thought the request was to sell a bottle of whiskey to the table, similar to selling a bottle of wine to the table. Mr. Stup stated he cannot support this. Mr. Pippy stated this should be postponed until the request can be understood.
 - Q. **No Applications during Renewal Period.** Mr. Stup stated there is not enough staff to handle renewals and application. Mrs. Dean stated, not only is it a staffing issue, but a timing issue. If you are applying for a license and it is granted and issued after the renewal is supposed to be filed to you accept the renewal late, do you charge a late fee, or if a hearing for a license is April 28th there is no time to file a renewal to be in effect May 1st. The Board decided to take no action on this request
 - R. **Class A Requirement No Seating.** Mrs. Dean stated that the Board has in the past approved two establishments with a Class A license to allow seating. Requests can be submitted to the Board and the Board can look at the circumstances and make a decision. This is not a legislative item, it's a Board policy and regulation.
- 6. Ms. Sklarew stated three sets of Minutes will be given to the Board in next week's hearing packet that will be ready for approval. Mr. Stup stated that he went over some of the minutes that have been prepared by the temp.
 - 7. The meeting was adjourned at 12:06pm.

Respectfully submitted,
Kathy V. Dean, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Ashley Sklarew